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C O N F I D E N T I A L SECTION 01 OF 02 KABUL 000371

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SUBJECT: KARZAI-MASSOUD TENSIONS HIGHLIGHT EXECUTIVE
AUTHORITY DISAGREEMENT

REF: KABUL 354

Classified By: Ambassador William Wood for reasons 1.4 (b) and (d)

¶1. (C) SUMMARY. President Karzai and First Vice President Ahmad Zia Massoud clashed over post-May 21 executive authority and Massoud's presidential ambitions during a February 16 Cabinet meeting, shocking those present with the personal nature of their remarks. Karzai pressured Massoud to resign immediately, but Massoud declared he would not quit until May 22, the constitutional expiration date of their terms. The very public dispute highlights the willingness of Karzai opponents to use the presidential authority question to undermine the government's legitimacy to advance their political interests. Afghan political leaders are examining a number of solutions, but the opposition has not yet produced a consensus way forward, much less one agreeable to Karzai. We are urging the opposition to moderate its public messages regarding the government's authority until there is an acceptable legal solution in place. End Summary.

Cabinet Meeting Gets Personal

¶2. (C) Massoud publicly criticized Karzai's intention to remain in office beyond May 22 during a February 15 public appearance in his home province of Panjshir. The speech also included harsh criticisms of Karzai's record on governance, anti-corruption, and counternarcotics. According to several sources, Karzai confronted Massoud at a February 16 Cabinet meeting about these remarks, accusing him of undermining the government (reftel). Palace sources say Karzai has grown increasingly frustrated with Massoud's actions over the past 6 months and prefers Massoud resign. "Take your dirty laundry and get out!" Karzai reportedly yelled at Massoud in front of the Cabinet.

¶3. (C) Massoud responded that he would wait until May 22 to resign, most likely to reinforce the point that Karzai's government would lose its constitutional legitimacy after that date. Karzai views Massoud's refusal to quit now as another instance in which the latter has tried to undermine his authority. During one of Karzai's first foreign trips, Massoud attempted to swap out the Kabul mayor with one of his own allies, fiercely angering Karzai (the 1st Vice President assumes presidential authority whenever the President leaves the country). Massoud joined the United Front in 2007, which Karzai characterized at the time as an act of disloyalty. During Karzai's trip last week to Munich, Massoud sought to appoint an ally to head the Afghan Olympic Committee.

¶4. (C) Sediq Chakari, a United Front member and close Massoud advisor, hinted Massoud also wanted to stay in office to prevent Karzai from naming a replacement. UF members suspect Karzai would offer the position to one of their own, most likely former Defense Minister Marshall Fahim Khan, in order to split the opposition. Fahim is among the UF leaders most opposed to a Massoud-led UF presidential ticket. Karzai has made no secret of his attempts to divide opposition leaders and prevent them from uniting behind one presidential

candidate. One Palace source reported that Karzai told the Cabinet this week, "I will break the United Front in two." Karzai has dangled vice presidency slots to Fahim and Hazara leader Mohaqqueq. Chakari, a respected Arabic scholar, said he was considering a Karzai offer to head the Ministry of Hajj and Religious Affairs.

15. (C) Following the exchange of personal attacks between Karzai and Massoud, Palace officials sought to cool tempers. Karzai ally and MP Abdul Rassoul Sayyaf has offered to mediate a reconciliation effort between the two this Saturday at the Palace. Chakari expects the reconciliation will end the personal attacks, as is Afghan tradition, but not heal the wounds built up over more than two years of mutual animosity. Most Afghans agree the president does not have the authority to fire a vice president, allowing Massoud to remain in office as long as he wishes.

Executive Authority at Heart of Unity Movement Talks

16. (C) The Karzai-Massoud tensions highlight the growing dispute over authority during the May to August period. Reftel details Karzai's request for the international community to push the opposition to reach agreement with the government on executive authority. Most opposition efforts are aimed at nudging Karzai aside in favor of a caretaker government. Palace Chief of Staff Sebghatullah Sanjar said Karzai intends to remain in office through the election and does not believe the opposition can unite behind one strong candidate. According to Sanjar, Karzai is more concerned that individual ministers may abandon the government after

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May 22 and the chaos that might ensue rather than a conclusive consensus for action resulting from talks led by the United Front or Pir Gailani.

17. (C) Both Chakari and Sanjar report that Upper House Speaker Sebghatullah Mojaddedi and certain foreign embassies are contacting political leaders to gauge interest in a Mojaddedi-led caretaker government. Most political leaders have told us Mojaddedi's health and age make him a poor candidate to lead the government, even for only a few months. Chakari said Massoud and United Front Chairman Burhanuddin Rabbani strongly oppose Mojaddedi assuming such a position, although Lower House Speaker Yunus Qanooni is more open to the idea. Mojaddedi has told MPs he would take the position if offered.

18. (C) Sanjar said the Palace is holding its own talks with political leaders, mujahideen groups, and legal scholars to test legal rationale for remaining in office after May 22. Karzai's preferred choice is a Supreme Court decision endorsing his government's authority to remain in office, but Sanjar doubts Chief Justice Azimi will enter the political fray with a decision. The Palace's second option is a brokered political resolution, possibly involving a state of emergency declaration along the lines detailed in the Constitution. As a last resort, Karzai has told his advisors he would call a "traditional Loya Jirga," which both he and the opposition know would be stacked with Karzai loyalists.

Executive Authority Question Not Yet Ripe For Resolution

19. (C) The United Front and other opposition groups are still some weeks away from reaching agreement on a way forward. For now, Karzai need take no action in response to the opposition's demands that he step aside in favor of a caretaker government. That said, Karzai is focused on finding a solution long before May 22. It is clear he is playing a game of brinksmanship with the international community, based on his meeting with the Ambassador (reftel), while making some more calculated assessments in consultation with his staff, as noted in para 8. The Embassy's objective

is to ensure others in the international community work with our same objectives (i.e., maintaining the August 20 election date, and encouraging an Afghan-led solution to the May-August period that would be consistent with the constitution), and not be pulled into Karzai,s electoral tactics.

¶10. (C) We are urging the opposition to moderate its public messages regarding the government's authority until there is a legal solution acceptable to all sides. We have made clear to the United Front that Massoud,s statements were unhelpful and ran counter to our interest in setting an environment in which political leaders could work constructively to seek a consensus solution. Furthermore, we have informed all the parties that anyone provoking a constitutional crisis at a time that coincides with the height of the fighting season would have to answer for their actions in future relations with the United States.

WOOD